

November 5, 2008

VIA EMAIL AND FEDEX OVERNIGHT DELIVERY

Ms. Kristine Koch
Remedial Project Manager
United States Environmental Protection Agency, Region 10
Office of Environmental Cleanup, Mail Code ECL-115
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140
koch.kristine@epamail.epa.gov

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Cleanup Office

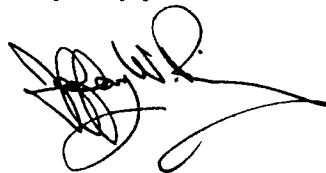
**RE: Portland Harbor Superfund Site / CERCLA
Section 104(e) Information Requests**

Dear Ms. Koch:

We are the legal counsel for the BAE Systems San Diego Ship Repair Inc., which received a first request for information letter dated January 18, 2008, with respect to the former operations of Northwest Marine, Inc. at the Swan Island Shipyard, located within the Portland Harbor Superfund Site. Enclosed with this letter are our client's responses to EPA's information request letter.

We look forward to continuing to work cooperatively with EPA and the other stakeholders at the Site. Please feel free to contact me with any questions or concerns.

Very truly yours,



J.W. Ring

Enclosure

cc: Lloyd A. Schwartz, Esq., General Counsel
BAE Systems San Diego Ship Repair Inc.

Arthur E. Engel, CEO
The Marine Group, LLC

BAE Systems San Diego Ship Repair Inc. is a subsidiary of BAE Systems Inc.

Bateman Seidel Miner Blomgren Chellis & Gram, P.C.

888 SW Fifth Avenue, Suite 1250 Portland, Oregon 97204 Telephone 503 972-9920 Fax 503 972-9921 www.batemanseidel.com



**PORTLAND HARBOR SUPERFUND SITE INFORMATION REQUEST
RESPONSES FROM BAE SYSTEMS SAN DIEGO SHIP REPAIR INC.**

Respondent submitted preliminary partial responses (the "Partial Responses") to the first request for information letter dated January 18, 2008 (the "Information Request"), to EPA under cover dated May 19, 2008. These responses are supplementary to the Partial Responses, which are by this reference incorporated herein.

Respondent is submitting herewith an electronic database of documents, which are Bates numbered and in pdf format, and an index to these documents in Excel format. References in these responses to these documents will be by Bates number in the format "NWMARxxxxxx," where x represents a unique page number.

Section 1.0 Respondent Information

1. Provide the full legal, registered name and mailing address of Respondent.

Response 1: BAE Systems San Diego Ship Repair Inc., formerly Southwest Marine, Inc., a California corporation, 2205 East Belt Street San Diego, CA 92113, referred to herein as "Respondent."

2. For each person answering these questions on behalf of Respondent, provide:

- a. full name;
- b. title;
- c. business address; and
- d. business telephone number, electronic mail address, and FAX machine number.

Response 2: Dana M. Austin
Austin Environmental Consulting, Inc.
PMB 233
450 State Rd. 13 N., Ste 106
Jacksonville, FL 32259
Phone: (904) 287-4652
Fax: (904) 287-6318
Email: DMAustinAECI@comcast.net

William M. Johnston
Retired
2240 Brandon Place
West Linn, OR 97068
Phone: (503) 789-5271
Email: billyjohnston@earthlink.net

Laura J. Machado
Chief Financial Officer

The Marine Group, LLC
997 G Street, Chula Vista, CA 91910
Phone: (619) 427-6767 ext. 142
Fax: 619-427-0324
Email: laura@marinegroupbw.com

J.W. Ring, Esq.
Bateman Seidel Miner Blomgren Chellis & Gram, P.C.
Attorneys for Respondent
888 SW Fifth Avenue, Suite 1250
Portland, OR 97204
Direct Phone: (503) 972-9909
Direct Fax: (503) 972-9910
Email: jwring@batemanseidel.com

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Bateman Seidel Miner Blomgren Chellis & Gram, P.C.
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888 SW Fifth Avenue, Suite 1250
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Christine L. Zemina, Esq.
Bateman Seidel Miner Blomgren Chellis & Gram, P.C.
Attorneys for Respondent
888 SW Fifth Avenue, Suite 1250
Portland, OR 97204
Phone: (503) 972-9966
Fax: (503) 972-9967
Email: kreed@batemanseidel.com

Lloyd A. Schwartz
General Counsel
BAE Systems San Diego Ship Repair Inc.
2205 East Belt Street
San Diego, CA 92113
Phone: (619) 238-1000 x 2750
Fax: (619) 239-1751
Email: lloyd.schwartz@baesystems.com

Sandor (Shaun) Halvax
Director of Environmental Services
BAE Systems San Diego Ship Repair Inc.
2205 East Belt Street

San Diego, CA 92113
Phone: (619) 238-1000 ext. 2060
Fax: (619) 595-0459
Email: sandor.halvax@baesystems.com

Daniel P. Cotter
Former Chief Financial Officer
Former address:
BAE Systems Ship Repair Inc.
750 West Berkley Avenue
Norfolk, VA 23523
Phone: (757) 494-4530
Fax: (757) 494-4961
Email: dan.cotter@baesystems.com
(current contact information unknown)

Raymond A. Parra
Vice President & General Counsel
BAE Systems Customer Solutions Operating Group
1300 North 17th Street, Suite 1400
Arlington, VA 22209
Phone: (703) 907-8273
Fax: (703) 907-8388
Email: raymond.parra@baesystems.com

Ellen Vinck
Vice President, Risk Management
BAE Systems Ship Repair Inc.
2205 East Belt Street
San Diego, CA 92113
Phone: (619) 238-1000 ext. 4297
Fax: (619) 239-1751
Email: ellen.vinck@baesystems.com

- 3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.**

Response 3: J.W. Ring, Esq.
Bateman Seidel Miner Blomgren Chellis & Gram, P.C.
Attorneys for Respondent
888 SW Fifth Avenue, Suite 1250
Portland, OR 97204
Direct Phone: (503) 972-9909
Direct Fax: (503) 972-9910
Email: jwring@batemanseidel.com

Section 2.0 Owner/Operator Information

- 4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 – Present). Please note that this question includes any aquatic lands owned or leased by Respondent.**

Response 4: Respondent previously was associated with the properties commonly known as 5815 and 5851 North Lagoon Avenue, Portland, OR 97217 (collectively, the "Property"), and more particularly described in the Title Plant Records Report prepared by Land America Commercial Services, dated May 7, 2008, attached to the Partial Responses.

Respondent previously submitted with the Partial Responses a copy of Multnomah County Assessor's Map No. 1N1E17CD/Portland, with the two applicable tax parcels comprising the Property highlighted (Taxlot Nos. 1N1E17CD-00500 & 1N1E17CD-00700). After the date of that submission, Respondent obtained a copy of the CERCLA Section 104(e) Nomination Summary for BAE Systems Ship Repair, Inc., Portland Harbor Superfund Site. Section II of that summary misidentifies (by tax account number) the tax parcels associated with Respondent. Thus, for clarification, Respondent is resubmitting herewith the same map in hard copy, on which it has indicated the tax account numbers associated with these tax parcels, as NWMAR106634.

Respondent also performed some work at 5555 North Channel Avenue, Portland, OR 97217, Parcel No. 376 (Various Buildings at PSY), Tax Account No. R506872, Taxlot No. 1N1E18D-00200, pursuant to various agreements with the Port of Portland ("Port"),¹ submitted herewith, but Respondent did not own this parcel and did not have an exclusive right to use this parcel, which was one of several parcels comprising the Portland Harbor Shipyard (the "Shipyard"). (As used herein, the Shipyard does not include the Property.) In fact, a large number of other parties used the Shipyard during Respondent's operations at the Property. Respondent's operations at the Shipyard are described in the detailed description of operational processes, submitted herewith.

- 5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.**

Response 5: An overview of Respondent's activities at the Property is provided in the detailed description of operational processes, submitted herewith.

On November 1, 1982, many years prior to any involvement of the Marine Group at the Property, William H. Zavin II, as trustee of Bradavin Property Trust, who is unaffiliated with

¹ All references herein to the Port include Cascade General, during the period it operated the Shipyard.

Marine Group, acquired title to the Property. See Warranty Deed—Statutory Form recorded in Book 1633 Pages 543-46, in the Multnomah County property records, provided with the Partial Responses. Mr. Zavin then leased the Property on December 10, 1982, to Northwest Marine Iron Works, an Oregon corporation, the predecessor-in-interest to Northwest Marine. See NWMAR004168; see also Memorandum of Lease Agreement recorded in Book 1633 Pages 547-50, in the Multnomah County property records, provided with the Partial Responses; see also Memorandum of Amendment of Lease Agreement recorded in Book 2209 Pages 1029-33, in the Multnomah County property records, provided with the Partial Responses.

On April 14, 1989, Southwest Marine, Inc., a California corporation (“Southwest Marine”), the predecessor-in-interest to BAE Systems San Diego Ship Repair Inc., a California corporation (“BAE San Diego”), acquired Northwest Marine. However, Southwest Marine never owned the Property. Marine Group first became involved with the Property on November 25, 1997, when the Marine Group acquired Northwest Marine from Southwest Marine. Mr. Zavin continued to own the Property during this entire twenty-year period, until September 23, 2002, when he conveyed title to the Marine Group. See Bargain and Sale Deed recorded as Instrument No. 2002-181867, in the Multnomah County property records, provided with the Partial Responses. The Marine Group owned the Property for only four years, until November 6, 2006, when Marine Group conveyed the Property to EWH, LLC, an Oregon limited liability company, which is unaffiliated with Respondent. See Statutory Warranty Deed recorded as Instrument No. 2006-207446, in the Multnomah County property records, provided with the Partial Responses.

In sum, BAE San Diego never owned the Property, and the Marine Group owned the Property for a mere four years, from September 23, 2002, to November 6, 2006. However, when Southwest Marine acquired Northwest Marine, it acquired all the assets and liabilities of Northwest Marine, including any remediation obligation Northwest Marine might have had for its prior operations, going back to 1943. These liabilities are joint and several with all prior and subsequent owners and operators of the Property and Northwest Marine.

- 6. Identify any persons who concurrently with you exercises or exercised actual control or who held significant authority to control activities at each Property, including:**
- a. partners or joint venturers;**
 - b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);**
 - c. any person subleasing land, equipment or space on the Property;**
 - d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;**
 - e. major financiers and lenders;**
 - f. any person who exercised actual control over any activities or operations on the Property;**
 - g. any person who held significant authority to control any activities or operations on the Property;**

- h. any person who had a significant presence or who conducted significant activities at the Property; and**
- i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.**

Response 6:

- a. None.
- b. All such persons of which Respondent has knowledge are identified in the electronic document database and the detailed description of operational processes, submitted herewith. See also Response 40.
- c. Respondent leased out space on the Property from approximately 1993 to 2006. Respondent worked with Macadam Forbes agent Edward J. Meaney to locate and negotiate with tenants.

The following entities or persons rented space from Respondent and exercised control over the property between 1993 and 2006. The contact information provided is the last known contact information in Respondent's files. Respondent's knowledge of each tenant's business is limited to the specific use for which the lease was made, which is stated in each individual lease.

General Reference: Monthly Management Reports (NWMAR105740-NWMAR106625)

1. Advanced Seismic Hardware, an Oregon limited liability company

Advanced Seismic Hardware LLC

Attn: Edward G. Westerdahl III, President

5555 North Channel Avenue

Building 2, Bay 8

Portland, OR 97217

(503) 224-9500

Use: manufacture and distribution of seismic related products

Reference: NWMAR015528-NWMAR015586

2. A.G.G. Enterprises, Inc., an Oregon corporation

A.G.G. Enterprises, Inc.

Attn: George T. Simons, President

P.O. Box 17163

Portland, OR 97217

Use: operating a commercial garbage service and parking, storage of dumpsters and trucks for commercial refuse business

Reference: NWMAR015587-NWMAR015643; NWMAR015660-NWMAR015702

3. Allstate Industrial and Marine Cleaning, Inc.

Allstate Industrial and Marine Cleaning

Attn: Daniel Goll

5555 North Channel Ave.

Building 80

Portland, OR 97217

Use: Storage of trucks and vehicles

NWMAR000684-NWMAR000690

4. Amsco Refrigeration, Inc., an Oregon corporation

Amsco Refrigeration, Inc.

Attn: Vince Seeley, President

5555 N. Channel Ave., Building 2

Portland, OR 97217

Use: storage and repair of refrigeration equipment

Reference: NWMAR015644-NWMAR015659

5. Bojarski, Inc., an Oregon corporation

Bojarsky Inc.

Attn: Tony Bojarski

5555 N Channel Ave.

Building 2, Bay 8

Portland, OR 97217

(503) 226-7065

Use: manufacture and distribution of wood trusses

Reference: NWMAR015792-NWMAR015843

6. C.H. Murphy/Clark-Ullman, Inc., an Oregon Corporation

C.H. Murphy/Clark-Ullman, Inc.

Attn: Randy Lederbrand, President

5565 N. Dolphin Street

Portland, OR 97217

(503) 285-5030

Alternative address from correspondence:

C.H. Murphy/Clark-Ullman, Inc.

2620 Tacoma Way

Tacoma, WA 98409

(253) 475-6566

Use: fabricating pressure vessels and other related products

Reference: NWMAR015703-NWMAR015711; NWMAR015844-NWMAR015962

7. Certified Technical Consultant Services, an Oregon corporation

Certified Technical Consultant Services

Attn: Elahi Bradley-Muhammed, President

5555 N. Channel Ave., Building 2

Portland, OR 97217
Alternative address on lease:
Certified Technical Consultant Services
4134 N. Vancouver Ave., Suite 201
Portland, OR, 97217
Use: assembling computers
Reference: NWMAR015712-NWMAR015746

8. Chuck Leavy Fabricators, a.k.a. C.L. Fabrications, Inc., an Oregon corporation

C.L. Fabrications, Inc.
Attn: Charles W. Leavy
P.O. Box 31012
Portland, OR 97203
Use: steel fabrication
Reference: NWMAR015962-NWMAR016065

9. Dick Corporation, a Pennsylvania corporation

Dick Corporation
Attn: Mark Hedberg, Project Manager
900 State Route 51
Post Office Box 10896
Large, PA 15025
Fax: (412) 384-1150
Use: office space
Reference: NWMAR016116-NWMAR016126

10. Environmental Fibers International, Inc., a.k.a. EFI, an Oregon corporation

EFI
Attn: Steve Jenkins, President
4325 N. Commerce Street
Portland, OR 97217
(503) 737-2100
Use: storage and washing of semi-tractors and trailers (exterior only by mobile washer with biodegradable soap), storage of old corrugated cardboard bales and fueling of trucks by mobile fueler
Reference: NWMAR016127-NWMAR016145

11. Evans Metal Fabricators, Inc., a.k.a. EMF, an Oregon Corporation

Evans Metal Fabricators, Inc.
Attn: Christopher A. Evans, President
P.O. Box 10144
Portland, OR 97296
Fax (503) 228-0239
Use: fabricating, cutting, storage and distribution of steel products

Reference: NWMAR016066-NWMAR016115; NWMAR016146-NWMAR016241

12. Forest Products Transportation and Reload Services, a sole proprietorship

Forest Products Transportation and Reload Services

Attn: David E. Wilson

2300 Contra Costa Blvd.

Suite 240

Pleasant Hill, CA 94523

(925) 798-7700

Alternative address on lease:

Sierra Coast Trucking

1130 Burnett Ave., Suite C

Concord, CA 94520

Use: general office purposes

Reference: NWMAR016242-NWMAR016264

13. Freightliner LLC, a.k.a. Portland Freightliner, a Delaware corporation

Freightliner LLC

Attn: Jim Sideow, Property Manager

4747 N. Channel Avenue

Portland, OR 97217

(503) 735-6799

Alternative address:

Freightliner LLC

2701 NW Vaughn Street

Portland, OR 97210

Alternative address:

Portland Freightliner, Inc.

Attn: Michael McBride, General Manager

9622 NE Vancouver Way

Portland, OR 97211

Alternative address:

Portland Freightliner, Inc.

P.O. Box 17218

Portland, OR 97217

Use: storage of partially constructed trucks and other related activities

Reference: NWMAR016265-NWMAR016379; NWMAR016623-NWMAR016625

14. Goodwin, Lynne Christine, d.b.a. C&S Graphic Design, a sole proprietorship

Lynne Christine Goodwin

c/o C&S Graphic Design

1413 C Street

Vancouver, WA 98663
Alternative address from correspondence:
Lynne Christine Goodwin
4000 Clark Ave.
Vancouver, WA
Use: general office space for graphic design business
Reference: NWMAR015747-NWMAR015791

15. Jewett Cameron Lumber Corporation

Jewett Cameron Lumber Corporation
Attn: Donald M. Boone, Administration
12670 SW Hall Blvd.
Tigard, OR 97223
(503) 620-1788
Use: secondary wood product manufacturing
NWMAR000705-NWMAR000770

16. King, Jack

Jack King
c/o Carl M. McLemore
4715-B N. Lagoon
Portland, OR 97217
(503) 283-6474
Use: storage of household goods
Reference: NWMAR016396-NWMAR016405

17. Nevins, Garry

Garry Nevins
6708 SE Hazel Avenue
Portland, OR 97206
Use: no information in files
Reference: NWMAR016388-NWMAR016395

18. Oregon Steel Mills, a Delaware corporation

Oregon Steel Mills
Attn: Eric Enquist, International Sales Rep.
14400 N Rivergate Blvd.
Portland, OR 97203
Alternative address from correspondence:
Oregon Steel Mills
Attn: Ray Adams
PO Box 5368
Portland, OR 97228
Use: storage, assembly and maintenance of steel mill equipment
Reference: NWMAR017086-NWMAR017111; NWMAR017204-
NWMAR017295

19. Pacific Dynamics Corporation, an Oregon corporation

Pacific Dynamics Corporation

Attn: Daniel S. Goll, President

P.O. Box 11126

Portland, OR 97211

Use: conducting business as a marine and industrial cleaning company and office space

Reference: NWMAR017132-NWMAR017203

20. Pardue International, a.k.a. Pardue Pre-Cast, an Oregon corporation

Pardue International

Attn: William A. Pardue, President

20915 SW 105th

Tualatin, OR 97062

Use: manufacturing, assembly and distribution of concrete, granite and masonry products and related items

Reference: NWMAR017112-NWMAR017131

21. Property Acquisition Corporation, an Oregon corporation

Property Acquisition Corp.

Attn: Charles E. McLawhorn, CFO

1020 SW 10th Ave.

Portland, OR 97205

(503) 243-6722

Use: storage of materials

Reference: NWMAR017060-NWMAR017085

22. QuEnSys Management, f.k.a. P&H Marine Associates, an Oregon corporation

QuEnSys Management Group, Inc.

Attn: Donald Nugent

5555 N. Channel Ave.

Building 2

Portland, OR 97217

Alternative address:

Donald Nugent

15600 NW West Union Rd.

Portland, OR 97229

Use: general office use

Reference: NWMAR017015-NWMAR017059

23. Real Steel, Inc.

Real Steel, Inc.

Attn: Karen Johnson, President

P.O. Box 168

Clackamas, OR 97015
Use: fabrication of steel products
NWMAR008208-NWMAR008232

24. Schell Enterprises, a.k.a. Schell Construction, a Washington corporation

Schell Enterprises, Inc.
Attn: L.E. Butch Schell, President
5555 N. Channel Ave.
Portland, OR 97217
(503) 240-3375
Alternative address from correspondence:
Schell Enterprises, Inc.
P.O. Box 2366
Shelton, WA 96584
Use: general contractors shop, office and related uses
Reference: NWMAR016952-NWMAR016974

25. Seaport Transportation LLC, an Oregon corporation

Seaport Transportation LLC
Attn: Mike McLemore
3450 SW 110th
Beaverton, OR 97005
(503) 285-2553
Use: general office space
Reference: NWMAR016975-NWMAR017014

26. Service Analytical Lab, Inc., an Oregon corporation

Service Analytical Lab, Inc.
Attn: Donald W. Bowey, Jr., President
5555 N. Channel Ave.
Portland, OR 97217
(503) 289-3487
Use: environmental laboratory
Reference: NWMAR016901-NWMAR016951

27. Service Steel, Inc., an Oregon corporation

Service Steel, Inc.
Attn: Edward G. Westerdahl, III
5555 N. Channel Ave., Building 2
Portland, OR 97217
(503) 243-6697
Use: steel fabrication, steel processing, warehouse and related office support services
Reference: NWMAR016802-NWMAR016900

28. Shipyard Management, Inc., a Nevada corporation

Shipyard Management Inc.

Attn: Robert Churchill, CEO

5555 N. Channel Ave., Building 2

Portland, OR 97217

Use: general office use

Reference: NWMAR016770-NWMAR016801

29. Surface Prep & Coatings, LLC, an Oregon limited liability company

Surface Prep & Coatings, LLC

Attn: Bruce Clark

2100 SE Lake Rd., Suite 1

Milwaukie, OR 97222

Use: storage and lay down

Reference: NWMAR016678-NWMAR016779

30. Swift Transportation Co., Inc., an Arizona corporation

Swift Transportation Co, Inc.

Attn: Gary Weinberger

Vice President Communications, Construction, Engineering & Property

P.O. Box 29243

Phoenix, AZ 85038

Use: outfitting trucks

Reference: NWMAR016595-NWMAR016677

31. Toscano LLC, an Oregon limited liability company

Toscano, LLC

Carl McLemore

4715-B N. Lagoon

Portland, OR 97219

Use: storing coffee beans and related products

Reference: NWMAR016576-NWMAR016594

32. Walashek Industrial & Marine Inc., a Washington corporation

Walashek Industrial & Marine Inc.

3236 16th Avenue SW

Seattle, WA 98134

(206) 624-2880

Alternative address:

Walashek Industrial & Marine Inc.

6410 S. 143rd Street

Tukwila, WA 98166

Use: operation of ship repair business and storage of related equipment and materials

Reference: NWMAR016540-NWMAR016575

33. Wholesale & Hearty Foods

Wholesale & Hearty Foods
975 SE Sandy Blvd., Suite 201
Portland, OR 97214
Use: storage of equipment
NWMAR013080

34. Willamette Jet Boat Excursions LLC, an Oregon limited liability company

Willamette Jet Boat Excursions LLC
Attn: Andrew J. Moos, General Manager
1945 SE Water Avenue
Portland, OR 97214
Use: storage of boats, boat trailers & related products and boat repair
Reference: NWMAR016406-NWMAR016539

- d. See the Title Plant Records Report prepared by Land America Commercial Services, dated May 7, 2008, provided with the Partial Responses.

- e. First Interstate Bank of Oregon, NA
1300 S.W. Fifth Avenue
Portland, Oregon 97208

Willamette Savings & Loan Association,
a Division of American Savings &
Loan Association, a Utah Corporation
P.O. Box 5555
Portland, Oregon 97228
Attn: Vice President in Charge of Corporate Lending

Wells Fargo, NA
San Diego Regional Commercial Banking Office
101 West Broadway, Suite 300
San Diego, California 92101
Attn: Larry S. McDonald

- f. See Responses 6(c) and 38. All such persons of which Respondent has knowledge are identified in the electronic document database and the detailed description of operational processes, submitted herewith.
- g. See Responses 6(c) and 38. All such persons of which Respondent has knowledge are identified in the electronic document database and the detailed description of operational processes, submitted herewith.

- h. See Responses 6(c) and 38. All such persons of which Respondent has knowledge are identified in the electronic document database and the detailed description of operational processes, submitted herewith.
- i. See Response 10(a) and the detailed description of operational processes, submitted herewith. Both the federal government, primarily through the U.S. Department of Defense, and the State of Oregon, primarily through the Port and the Department of State Lands, have held substantial and pervasive proprietary interests with regard to the activity on the Property. The Department of Defense, directly and through its agents such as Schnitzer, owned the Property and adjacent properties and controlled operations at the Shipyard for a majority of the Shipyard's operational history. The Port likewise has owned and operated property at the Shipyard and has directed and controlled all hazardous waste and hazardous materials handling activities at the Shipyard. In addition, the Oregon Department of State Lands owns and leases state submerged lands over which Shipyard operations have occurred.

7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).

Response 7: See Response 5 and the Title Plant Records Report prepared by Land America Commercial Services, dated May 7, 2008, provided with the Partial Responses.

8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

Response 8: Respondent is not the current owner or current operator of the Property.

9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.

Response 9: Southwest Marine engaged in a due diligence investigation of potential environmental conditions at the Property prior to its acquisition of Northwest Marine Iron Works as described in Response 74(c). See Doc. NWMAR047745 at Pg. NWMAR047754 for an outline of the scope of this investigation. Documents produced as a result of this review were Docs. NWMAR103169, NWMAR032701 and NWMAR103253. In addition, the environmental compliance policies of Southwest Marine at or around the time of its acquisition of Northwest Marine Iron Works can be found in Doc. NWMAR055630.

10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:

- a. the dates of ownership;**
- b. all evidence showing that they controlled access to the Property; and**
- c. all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.**

Response 10: Respondent is providing the following fee title history of the Property during the period of investigation:

- Port of Portland and federal and other state governmental entities – January 1, 1937 to June 27, 1967.
- Warranty Deed dated June 27, 1967, recorded June 30, 1967, in Book 569, Pages 49-64, from Port of Portland, grantor, to Schnitzer Realty Company, grantee.
- Warranty Deed dated December 22, 1981, recorded December 24, 1981, in Book 1569, Pages 1580-82, from Schnitzer Investment Corp., grantor, to Northwest Marine Iron Works, grantee.
- Warranty Deed–Statutory Form dated December 9, 1982, recorded December 13, 1982, in Book 1633, Pages 543-46, from Northwest Marine Iron Works, grantor, to William H. Zavin II, as trustee of Bradavin Property Trust, grantee.
- Bargain and Sale Deed dated September 23, 2002, recorded October 10, 2002, as Instrument No. 2002-181867, from William H. Zavin II, as trustee of Bradavin Property Trust, grantor, to The Marine Group, LLC, grantee.
- Statutory Warranty Deed dated October 27, 2006 (but delivered November 6, 2006), recorded November 7, 2006, as Instrument No. 2006-207446, from The Marine Group, LLC, grantor, to EWH, LLC, grantee (current owner).
 - a. See dates provided above; see also the Title Plant Records Report prepared by Land America Commercial Services, dated May 7, 2008, provided with the Partial Responses.
 - b. All such evidence in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith.
 - c. See Response 9.

11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:

- a. the dates of operation;**
- b. the nature of prior operations at the Property;**
- c. all evidence that they controlled access to the Property; and**
- d. all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.**

Response 11: See Responses 5, 6(c), 6(i) and 10(a) for identification of prior operators of the Property of which Respondent is aware.

- a. See Responses 5 and 10(a); see also the electronic document database submitted herewith.
- b. See Responses 5, 6(c), 6(i) and 10(a); see also the detailed description of operational processes and the electronic document database, submitted herewith.
- c. All such evidence in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith.
- d. See Response 9; see also Docs. NWMAR015641 and NWMAR015642 regarding environmental violations by a former tenant, A.G.G. Enterprises, Inc.; see also Doc. NWMAR016054 regarding environmental violations by a former tenant, C.L. Fabrications, Inc.

12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.

Response 12: Respondent did not obtain leases to or sublease any aquatic lands from the State of Oregon.

Section 3.0 Description of Each Property

13. Provide the following information about each Property identified in response to Question 4:

- a. property boundaries, including a written legal description;**
- b. location of underground utilities (telephone, electrical, sewer, water main, etc.);**
- c. location of all underground pipelines whether or not owned, controlled or operated by you;**
- d. surface structures (e.g., buildings, tanks, pipelines, etc.);**
- e. over-water structures (e.g., piers, docks, cranes, etc.);**

- f. dry wells;
- g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);
- h. groundwater wells, including drilling logs;
- i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;
- j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;
- k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;
- l. all maps and drawings of the Property in your possession; and
- m. all aerial photographs of the Property in your possession.

Response 13:

- a. See these documents provided with the Partial Responses: Survey No. 30620 filed November 21, 1969, in the Multnomah County Survey Records; Survey No. 54377 (2 pages) filed February 1, 1995, in the Multnomah County Survey Records; Survey No. 22413 last revised January 4, 1966, in the Multnomah County Survey Records; and the Title Plant Records Report prepared by Land America Commercial Services, dated May 7, 2008.
- b. See the multipage line drawing entitled *Portland Ship Repair Yard Master Utilities* by the Port of Portland, dated April 1981, as Drawing No. YA 81-1, provided with the Partial Responses. In addition, Respondent is providing herewith the following drawings in hard copy:

Date	Description	Prepared By	Bates No.
07/25/1997	Portland Shipyard Site Map	Cascade General	NWMAR106626
07/17/1997	Hazardous Waste Storage and Emergency Response Equipment	Cascade General	NWMAR106627
07/17/1997	Portland Shipyard Stormwater System	Cascade General	NWMAR106628
05/04/1940	Underground Piping General Layout West Sector	Kaiser Company, Inc.	NWMAR106629
06/17/1942	Manhole Over Fuel Tank – NE Corner Plate Shop	Kaiser Company, Inc.	NWMAR106630
07/24/1997	Portland Shipyard Ballast Water Treatment Plant	Cascade General	NWMAR106631
10/03/1980	Office/Warehouse Facility: 5851 North Lagoon, Swan Island	Len Krombein	NWMAR106632
03/08/1982	Northwest Marine Ironworks Shop & Office Renovation and Relocation	Annand, Boone & Associates	NWMAR106633

- c. See Response 13(b).
- d. See these documents provided with the Partial Responses: the brochure entitled *You Expect... We Deliver, Portland Ship Yard* by the Port of Portland with a notation of 1/92 containing an aerial photograph of and other information regarding the Swan Island Industrial Park; and the line drawing entitled *Figure 2, Site Map* contained in the Remedial Investigation/ Feasibility Study Work Plan (DEQ Review Draft) for the Portland Shipyard by Bridgewater Group, Inc., dated January 28, 2000. See also Response 13(b).
- e. The Property is landlocked and did not contain any over-water structures.
- f. During Respondent's period of control, the Property did not contain any dry wells.
- g. See the detailed description of operational processes and the electronic document database, submitted herewith.
- h. To the extent records regarding groundwater wells on the Property and associated drilling logs are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith.
- i. See the line drawing entitled *Swan Island Shipyard General Plan Storm Sewer System* by John W. Cunningham & Associates, dated June 9, 1942, provided with the Partial Responses; see also the line drawing entitled *Portland Shipyard Stormwater System* by Cascade General, dated July 17, 1997, provided herewith in hard copy as NWMAR106628.
- j. During Respondent's period of control, the Property did not contain subsurface disposal fields, underground injection control wells, or other underground structures, except for utility facilities including without limitation sanitary and storm sewer systems.
- k. See Responses 13(b) and 13(l).
- l. See the maps and drawings provided with the Partial Responses; see also Response 13(b). Respondent also is providing maps and drawings in electronic format in the database submitted herewith. Respondent has hard copies of the following additional maps and drawings that it believes are not responsive to the Information Request, but Respondent will retain them and make them available to EPA upon request:

Date	Description	Prepared By
07/17/1997	Portland Shipyard Evacuation Map	Cascade General

Date	Description	Prepared By
04/08/1942	Swan Island Shipyard General Plan Fire Protection System	Kaiser Company
12/09/1977	General Plant Arrangement & Site Plan	Woodbury & Company
11/05/1965	SW ¼, Section 17, Township 1 North, Range 1 East, W.M.	Vaughn Cochran
10/03/1980	Office/Warehouse Facility	Len Krombein
03/12/1980	Metra Steel New Storage Facility	Tice Electric Co.
08/25/1967	Remodel & Addition: Woodbury & Co	Schnitzer Bros.
05/1967 to 09/1967	Woodbury Expansion	Werner S. Storch & Associates, Inc.
12/17/1943	Plate Shop Craneway Extension	Kaiser Company, Inc.
04/07/1942	Plate Shop Elevations	Kaiser Company, Inc.
05/23/1948	Plate Shop Roof Drain Piping	Kaiser Company, Inc.
04/07/1942	Plate Shop Details	Wolff & Phillips Architects
06/01/1942	Plate Shop & Assembly Building Additional Steel for Extension of Craneways	Kaiser Company, Inc.
04/07/1942	Plate Shop Floor Plan	Kaiser Company, Inc.
03/12/1968	Building Addition for Woodbury & Co.: Plot Plan	Zarosinski Engineers
10/16/1968	Bldg Expansion for Woodbury & Co: Warehouse Electrical Service & Modifications	Downing & Ries Engineers
04/08/1942	Plate Shop Swan Island Yard	Clinton Bridge Works
05/02/1968	Bldg Expansion for Woodbury Co.: Piping Diagrams & Air Handling Equipment	Consulting Engineers, Inc.
Undated	Bldg Expansion for Woodbury Co.: Partial Floor Plans	Zarosinski Engineers, Inc.
07/17/1968	Bldg Expansion for Woodbury Co.: Piping Diagrams & Air Handling Equipment	Consulting Engineers, Inc.
07/17/1968	Bldg Expansion for Woodbury Co.: Schedules & Plumbing	Consulting Engineers, Inc.
Undated	Bldg Expansion for Woodbury Co.: 2 nd Story Addition to Existing Offices	Zarosinski Engineers, Inc.
10/29/1968	Woodbury & Co. Planting Plan & Irrigation Plan	Huntington & Roth
12/09/1977	Woodbury & Co. General Plant Arrangement & Site Plan	?
11/10/1969	Woodbury & Co. Exhibit Plat	Port of Portland
09/10/1968	Bldg Expansion for Woodbury Co.: Site Plan	Zarosinski Engineers, Inc.
07/16/1968	Toilet & Lunchroom Facilities - Swan Island SRY Plumbing & Table Details	Port of Portland
03/16/1972	Woodbury Storage Site Plan	Zarosinski-Tatone Engineers, Inc.

Date	Description	Prepared By
11/15/1968	Bldg Expansion for Woodbury Co.: Office Expansion	Zarosinski Engineers, Inc.
03/31/1969	Bldg Expansion for Woodbury Co.: Site Plan	Zarosinski Engineers, Inc.
05/02/1968	Bldg Expansion for Woodbury Co.: Shop Drawings Erection Plan	Zarosinski Engineers, Inc.
06/17/1968	Bldg Expansion for Woodbury Co.: Site Plan	Zarosinski Engineers, Inc.
06/17/1968	Office Expansion for Woodbury Co.: Floor Plans	Zarosinski Engineers, Inc.
06/17/1968	Office Expansion for Woodbury Co.: Elevations	Zarosinski Engineers, Inc.
06/17/1968	Office Expansion for Woodbury Co.: Roof Framing Plan, Foundation Plan, Second Floor Framing Plan	Zarosinski Engineers, Inc.
06/17/1968	Office Expansion for Woodbury Co.: Sections Details and Partial Struct. Elevations	Zarosinski Engineers, Inc.
Undated	Office Expansion for Woodbury Co.: Partial Floor Plans	Zarosinski Engineers, Inc.
Undated	Office Expansion for Woodbury Co.: Refrigeration Diagram	Consulting Engineers, Inc.
Undated	Office Expansion for Woodbury Co.: First & Second Floor Supply Ductwork	Consulting Engineers, Inc.
Undated	Office Expansion for Woodbury Co.: Lighting Plan	Downing & Ries Engineers, Inc.
Undated	Office Expansion for Woodbury Co.: Power Plan	Downing & Ries Engineers, Inc.
Undated	Office Expansion for Woodbury & Co.: Alternate Lighting Plan	Downing & Ries Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Site Plan	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Elevation	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Roof Plan	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Roof Framing Plan & Details	Zarosinski Engineers, Inc.
03/28/1968	Bldg Expansion for Woodbury Co.: Foundation Plan & Details	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Cross Sections and Stick Elevations	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Framing Details	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Bracing & Misc Details	Zarosinski Engineers, Inc.

Date	Description	Prepared By
03/12/1968	Bldg Expansion for Woodbury Co.: Lateral Bracing	Zarosinski Engineers, Inc.
03/12/1968	Bldg Expansion for Woodbury Co.: Plot Plan	Zarosinski Engineers, Inc.
07/24/1942	Assembly Bldg Roof Drain Piping	Kaiser Company, Inc.
05/29/1942	Assembly Bldg Additional Footing Area	Kaiser Company, Inc.
05/30/1942	Assembly Bldg Increased Bearing Area for Footings	Kaiser Company, Inc.
06/02/1942	Plate Shop & Assembly Bldg Layout of Footings	Kaiser Company, Inc.
05/25/1942	Assembly Bldg Floor Slab West End	Kaiser Company, Inc.
05/25/1942	Assembly Bldg Floor Slab East End	Kaiser Company, Inc.
05/23/1942	Assembly Bldg Piping Plan	Kaiser Company, Inc.
05/14/1942	Assembly Platform for Assembly Bldg	Kaiser Company, Inc.
06/02/1942	Assembly Bldg Additional Footing Area	Kaiser Company, Inc.
07/11/1944	Lighting: Assembly Bldg Addition	Kaiser Company, Inc.
06/18/1942	Power Layout Assembly Bldg	Kaiser Company, Inc.
09/10/1942	Assembly Bldg Steel "A" Frames for Row "A-A"	Kaiser Company, Inc.

- m. See brochure previously submitted with the Partial Responses entitled *You Expect... We Deliver, Portland Ship Yard* by the Port of Portland with a notation of 1/92 containing an aerial photograph of and other information regarding the Swan Island Industrial Park; see also the electronic document database submitted herewith.

14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.

Response 14: The Property is not adjacent to the Willamette River.

15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

Response 15: Respondent is producing in the electronic database submitted herewith all documents, reports, information or data it has related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about the Property, including documents containing analysis or interpretation of such data and past and current aerial photographs, to the extent it has such documents and photographs. In particular, see the following documents (in chronological order): NWMAR032701, NWMAR021764, NWMAR021717 and NWMAR010026 (nonfinal draft).

16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:

- a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;
- b. dated aerial photograph of the site showing each unit/area;
- c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;
- d. the dates that the unit/area was in use;
- e. the purpose and past usage (e.g., storage, spill containment, etc.);
- f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and
- g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.

Response 16: During Respondent's period of control, Respondent did not maintain any solid waste management units or areas within the technical meaning of these terms. Respondent did maintain a temporary materials storage area on Taxlot No. 1N1E17CD-00700. With respect to the information requested in subparts (a) through (g), Respondent is producing in the electronic database submitted herewith all such information that it has or over which it has control related to past solid waste management units or areas where materials were in the past managed, treated, or disposed on the Property. See also the detailed description of operational processes, submitted herewith.

17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.

Response 17: Respondent does not possess knowledge regarding closure or remediation of solid waste management units or areas after Respondent ceased its involvement with the Property in 2006.

18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:

- a. the location and nature of each sewer line, drain, ditch, or tributary;
- b. the date of construction of each sewer line, drain, ditch, or tributary;
- c. whether each sewer line, or drain was ever connected to a main trunk line;
- d. whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
- e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the

boundaries of the Property(ies). Your response should include, but not be limited to:

- i. the areas serviced by the outfalls; and**
- ii. the type of outfall (i.e., storm water or single facility operational).**

Response 18:

- a. See the line drawing entitled *Swan Island Shipyard General Plan Storm Sewer System* by John W. Cunningham & Associates, dated June 9, 1942, provided with the Partial Responses; see also the line drawing entitled *Portland Shipyard Stormwater System* by Cascade General, dated July 17, 1997, provided herewith in hard copy as NWMAR106628; see also the multipage line drawing entitled *Portland Ship Repair Yard Master Utilities* by the Port of Portland, dated April 1981, as Drawing No. YA 81-1, provided with the Partial Responses; see also the drawings, provided herewith in hard copy, referenced in the table for Response 13(b).
- b. See the dates shown on the drawings referenced in Response 18(a).
- c. See the drawings referenced in Response 18(a).
- d. See Response 19.
- e. There were no outfalls located within the boundaries of the Property because the Property is not adjacent to the Willamette River.

19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.

Response 19: Stormwater runoff from the Property was managed via a system of storm sewers through which runoff was conveyed to the City of Portland Storm Sewer System. The Property had no stormwater outfalls which discharged directly to the Willamette River or Swan Island Basin. All industrial activities conducted at the Property were conducted within covered facilities, except for a steel plate, rod and bar storage area in southwestern area of the Property. See the multipage line drawing entitled *Portland Ship Repair Yard Master Utilities* by the Port of Portland, dated April 1981, as Drawing No. YA 81-1, provided with the Partial Responses. Except for a portion of the storage area, all of Respondent's work area was paved with asphalt.

Respondent ceased operations on the Property on November 9, 1992. Operators in the Shipyard area were not required to prepare stormwater pollution prevention plans until 1993. See NWMAR010239. Nonetheless, Respondent maintained good housekeeping practices of regularly cleaning its work areas and spill cleanup, which would have significantly reduced the potential for pollutant discharges to the City of Portland Storm Sewer System. These practices are described in the detailed description of operational processes, submitted herewith.

Section 4.0 Respondent's Operational Activities

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.

Response 20: See the detailed description of operational processes, submitted herewith.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:

- a. in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
- b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
- c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and
- d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

Response 21: Yes.

- a. See the detailed description of operational processes, submitted herewith.
- b. See Appendix 2: Material Safety Data Sheets to the detailed description of operational processes, submitted herewith; see also document type "Materials Safety Data Sheet" in the electronic document database submitted herewith.
- c. See Appendix 1: NWM Process Flow Charts to the detailed description of operational processes, submitted herewith.
- d. See the detailed description of operational processes and the electronic document database, submitted herewith.

22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

Response 22: Respondent did not conduct activities at the Property over, on or adjacent to the Willamette River, because the Property is not adjacent to the Willamette River. As described in Response 4, Respondent conducted activities at the Shipyard that were over, on or adjacent to the

Willamette River. These activities are described in the detailed description of operational processes, submitted herewith.

- 23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.**

Response 23: There were no mooring facilities, docks, wharfs or other over-water structures at the Property because the Property is landlocked. As described in Response 4, Respondent conducted activities at the Shipyard, at which there were mooring facilities, docks, wharfs and other over-water structures. These activities are described in the detailed description of operational processes, submitted herewith.

- 24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.**

Response 24: There were no leased aquatic lands at the Property.

- 25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 – present). Provide the brand name of all pesticides or herbicides used.**

Response 25: Respondent does not have information regarding the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on the Property. However, the large majority of the Property was paved or covered by buildings during Respondent's period of control. Consequently, Respondent believes that any such application of pesticides or herbicides would have been very limited.

- 26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.**

Response 26: See the detailed description of operational processes, submitted herewith.

- 27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:**
- a. the persons with whom the Respondent made such arrangements;**
 - b. every date on which Respondent made such arrangements;**

- c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;
- d. in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;
- e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;
- f. the owner of the materials involved in each such arrangement, if not Respondent;
- g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;
- h. the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;
- i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;
- j. who selected the location to which the materials were to be disposed or treated;
- k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and
- l. any records of such arrangement(s) and each shipment.

Response 27: Yes. The relevant property is Parcel No. 376 (Various Buildings at PSY), Tax Account No. R506872, Taxlot No. 1N1E18D-00200. See Response 4.

- a. Respondent contracted with the Port to use certain Shipyard facilities, and the Port assumed responsibility for characterization, transportation, treatment and/or disposal of certain waste materials resulting from Respondent's activities pursuant to these contracts.
- b. All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith.
- c. See Appendix 2: Material Safety Data Sheets to the detailed description of operational processes, submitted herewith; see also document type "Materials Safety Data Sheet" in the electronic document database submitted herewith.
- d. All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith.
- e. All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith.
- f. Once Respondent transferred the waste materials to the Port, the Port became the owner of the materials.

- g. All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith. Specifically see NWMAR013118-NWMAR015527.
- h. 5555 North Channel Avenue, Portland, OR 97217
- i. the Port
- j. the Port
- k. the Port
- l. All such records in Respondent's possession or under Respondent's control are contained in the electronic document database and the detailed description of operational processes, submitted herewith. Specifically see NWMAR013118-NWMAR015527.

28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).

Response 28: See the detailed description of operational processes, submitted herewith.

29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.

Response 29: See Appendix 1: NWM Process Flow Charts to the detailed description of operational processes, submitted herewith.

30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:

- a. the date such operations commenced and concluded; and
- b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.

Response 30: See the detailed description of operational processes, submitted herewith.

- a. Respondent engaged in active operations at the Property and at the Shipyard from April 14, 1989, to November 9, 1992 ("Respondent's Active Operations Period").
- b. See the detailed description of operational processes, submitted herewith.

31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.

Response 31: The nature and size of Respondent's operations did not change appreciably during Respondent's Active Operations Period. However, Respondent's facilities on the Property were expanded during Respondent's Active Operations Period. See NWMAR009329; see also Responses 13(b) and 13(l).

32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

Response 32: See the detailed description of operational processes and Appendix 1 thereto (NWM Process Flow Charts), submitted herewith.

33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.

Response 33: See Appendix 2: Material Safety Data Sheets to the detailed description of operational processes, submitted herewith; see also document type "Materials Safety Data Sheet" in the electronic document database submitted herewith.

34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:

- a. the types of materials used to clean/maintain this equipment/machinery;
- b. the monthly or annual quantity of each such material used;
- c. the types of materials spilled in Respondent's operations;
- d. the materials used to clean up those spills;
- e. the methods used to clean up those spills; and
- f. where the materials used to clean up those spills were disposed of.

Response 34: See the detailed description of operational processes and the electronic database of documents, submitted herewith.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

Response 35: See the detailed description of operational processes, submitted herewith.

36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:

- a. its physical state;
- b. its nature and chemical composition;
- c. its color;
- d. its odor;
- e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
- f. the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.

Response 36: See Response 33; see also the detailed description of operational processes and the electronic database of documents, submitted herewith.

37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

Response 37: See the process flowcharts in Appendix 1 to the detailed description of operational processes, submitted herewith.

38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

Response 38: Prior to Respondent's Active Operations Period, John Flynn and Jack Flynn were responsible for environmental matters for Northwest Marine Iron Works. John Flynn is probably deceased, and Respondent does not have any contact information for either person.

Robert Coates, Environmental Coordinator at Northwest Marine, 1989-1993.

On-site management of environmental affairs, waste management and waste disposal. Direct report to Production Manager. Currently employed as Blast and Paint Superintendent at Cascade General.

Dana Austin, Corporate Manager of Environmental Affairs at Southwest Marine, 1989-1996. Corporate management of environmental affairs. Provide direction and guidance to divisional environmental managers/coordinators. Provided periodic on site inspection to monitor compliance. Direct report to Herb Engel, CEO, Southwest Marine. Currently employed as consultant at Austin Environmental Consulting.

Terry Kingrey, Facility Manager, Northwest Marine Iron Works and Northwest Marine, unknown-1993.

Managed facility to ensure on-going and efficient operations. Arranged collection, management and disposal of wastes at facility. Direct report to General Manager, William Johnston. May be currently employed with Cascade General (unable to verify).

Ray Cory, Blast and Paint Superintendent, Northwest Marine Iron Works and Northwest Marine, unknown-1993.

Managed abrasive and paint waste generated from blasting and painting operations on dry docks and within shops. Direct report to Production Manager. Currently whereabouts unknown.

39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.

Response 39: See the detailed description of operational processes and the electronic database of documents, submitted herewith.

40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, including, but not limited to the following:

- a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
- b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
- c. if Respondent transported any of its wastes away from its operations, please so indicate;
- d. for each type of waste specify which Waste Carrier picked it up;
- e. indicate the ultimate disposal/recycling/treatment location for each type of waste;
- f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
- g. state the basis for and provide any documents supporting the answer to the previous question.

Response 40: See Response 27; see also NWMAR013118-NWMAR015527.

- a. Respondent sent the indicated type of waste for disposal, treatment, or recycling to the following, among others. See also NWMAR013118-NWMAR015527.

Forest Grover Transfer Station
c/o A.C. Trucking
P.O. Box 8
Forest Grove, OR 97116
(503) 357-4848
Use: Nonhazardous solid waste disposal

Fuel Processors Inc.
4150 N. Suttle Rd.
Portland, OR 97217
(503) 286-8352
Use: Recycling of liquids

Chemical Waste Management of the Northwest, Inc.
Star Route, Box 9
Arlington, OR 97812
(503) 454-2643
Use: Disposal of hazardous waste

Chemical Handling Corporation
118 23rd Street SE
Puyallup, WA 98372
(206) 840-8610
Use: Disposal of hazardous waste

Burlington Environmental Inc.
f.k.a. Chemical Processors, Inc. (ChemPro)
5420 N. Lagoon Dr.
Portland, OR 97217
(503) 283-1150
Use: Disposal of hazardous waste

Hillsboro Landfill Inc.
3205 SE Minter Bridge Rd.
Hillsboro, OR 97123
(503) 640-9427
Use: Asbestos and special waste disposal

- b. Respondent's Waste Carriers included the following. See also NWMAR013118-NWMAR015527.

Metropolitan Disposal Corporation
P.O. Box 11229
Portland, OR 97211
(503) 285-0571
Use: Nonhazardous solid waste transportation

Fuel Processors Inc.
4150 N. Suttle Rd.
Portland, OR 97217
(503) 286-8352
Use: Transportation of liquids for recycling

Chemical Waste Management of the Northwest, Inc.
Star Route, Box 9
Arlington, OR 97812
(503) 454-2643
Use: Transportation of hazardous waste

Chemical Handling Corporation
118 23rd Street SE
Puyallup, WA 98372
(206) 840-8610
Use: Transportation of hazardous waste

Resource Recovery Corp.
1629 East Alexander
Tacoma, WA 98421
(206) 383-3044
Use: Transportation of hazardous waste

IAM/Environmental, Inc.
d.b.a. Allwaste Asbestos Abatement
204 SE Stonemill Dr., Suite 270
Vancouver, WA 98684
(206) 256-7557
Use: Asbestos abatement

- c. See Response 40(b).
- d. See Response 40(b).
- e. See Response 40(a); see also NWMAR013118-NWMAR015527.
- f. To the extent such documents are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR013118-NWMAR015527.
- g. To the extent such documents are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR013118-NWMAR015527.

41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:

- a. **the nature and chemical composition of each type of waste;**
- b. **the dates on which those wastes were disposed;**
- c. **the approximate quantity of those wastes disposed by month and year;**
- d. **the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and**
- e. **whether and what pretreatment was provided.**

Response 41: Respondent did not dispose of wastes into Respondent's drains. See Response 19 for a description of the Property's storm sewer system.

42. Identify any sewage authority or treatment works to which Respondent's waste was sent.

Response 42: See Response 19; see also the detailed description of operational processes, submitted herewith.

43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.

Response 43: See the detailed description of operational processes, submitted herewith.

44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.

Response 44: See the detailed description of operational processes, submitted herewith.

45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.

Response 45: See the detailed description of operational processes, submitted herewith.

46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.

Response 46: To the extent such records are in Respondent's possession or under Respondent's control, they were provided with the Partial Responses or are provided herewith.

47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.

Response 47: All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith. Specifically see NWMAR013118-NWMAR015527.

48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.

Response 48: All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith. Specifically see NWMAR013118-NWMAR015527.

49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.

Response 49: All such information in Respondent's possession or under Respondent's control is contained in the electronic document database and the detailed description of operational processes, submitted herewith. Specifically see NWMAR013118-NWMAR015527.

Section 5.0 Regulatory Information

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

Response 50: Respondent is unable to respond to this request with respect to owners or operators of the Property other than Respondent. With respect to Respondent, the relevant regulatory authorities are listed below. To the extent records regarding specific interactions and contacts in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR009613 and NWMAR009614.

Federal Agencies:

U.S. Environmental Protection Agency
U.S. Department of Defense
 U.S. Department of the Navy
U.S. Department of Labor
 Occupational Safety & Health Administration
U.S. Department of Commerce
 Maritime Administration (pre-1981)
U.S. Department of Transportation
 Maritime Administration (post-1981)

State Agencies:

Alaska Department of Transportation and Public Facilities

California Department of Consumer Affairs
California Department of Health Services
California Secretary of State

Oregon Department of Consumer & Business Services
 Occupational Safety & Health Administration
Oregon Department of Environmental Quality
Oregon Department of General Services
Oregon Department of Transportation
Oregon Secretary of State

Washington Department of Licensing

- 51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.**

Response 51: On January 11, 1990, the Secretary of the U.S. Department of Labor filed a complaint against Northwest Marine Iron Works with the Occupational Safety and Health Review Commission as Docket No. 89-3539 regarding asbestos handling on the Dutch-Holland Cruise Line Vessel Rotterdam. The complaint was settled without Respondent admitting the validity of the alleged violations. See NWMAR074877 (internal memorandum re asbestos precautions), NWMAR071538 (complaint), NWMAR071526 (answer), NWMAR071714 (settlement agreement). To the extent additional documents regarding any other such occurrences are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. See also Response 62.

- 52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.**

Response 52: All such permits in Respondent's possession or under Respondent's control are contained in the electronic document database and the detailed description of operational processes, submitted herewith. It was and is Respondent's understanding that the Port was required to maintain permits for all activities occurring in the Shipyard. See the detailed description of operational processes, submitted herewith.

- 53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.**

Response 53: To the extent records regarding hazardous waste activity notifications are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR013118-NWMAR015527.

- 54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.**

Response 54: No.

- 55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.**

Response 55: ID # ORD980665368

56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

Response 56: See Response 50; see also the electronic document database and the detailed description of operational processes, submitted herewith.

57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

Response 57: See Response 50; see also the electronic document database and the detailed description of operational processes, submitted herewith.

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.

Response 58: See Response 50. To the extent such reports are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR013118-NWMAR015527.

59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.

Response 59: To the extent such registrations, notifications, inspections or reports are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR013118-NWMAR015527.

60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

Response 60: Respondent has never leased state aquatic lands.

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

Response 61: Respondent has never leased state aquatic lands.

Section 6.0 Releases and Remediation

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:

- a. when such releases occurred;
- b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
- c. the amount of each hazardous substances, pollutants, or contaminants so released;
- d. where such releases occurred;
- e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
- f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
- g. all persons with information relating to these releases; and
- h. list all local, state, or federal departments or agencies notified of the release, if applicable.

Response 62: To the extent records regarding such leaks, spills, or releases into the environment are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. Specifically see NWMAR013118-NWMAR015527.

63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:

- a. where the disposal system or floor drains were located;
- b. when the disposal system or floor drains were installed;
- c. whether the disposal system or floor drains were connected to pipes;

- d. where such pipes were located and emptied;
- e. when such pipes were installed;
- f. how and when such pipes were replaced, or repaired; and
- g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

Response 63: The only such spills, leaks, releases or discharges of waste were stormwater runoff as described in Response 19 or spills within shop areas as described in the detailed description of operational processes, submitted herewith. See Appendix 1: NWM Process Flow Charts to this detailed description for an explanation of how spills in Respondent's shops were contained and cleaned up. See also the electronic document database and the detailed description of operational processes, submitted herewith. With respect to the information requested in subparts (a) through (g), see Responses 13, 18 and 19.

64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:

- a. amount of soil excavated;
- b. location of excavation presented on a map or aerial photograph;
- c. manner and place of disposal and/or storage of excavated soil;
- d. dates of soil excavation;
- e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;
- f. reason for soil excavation;
- g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
- h. all analyses or tests and results of analyses of the soil that was removed from the Property;
- i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
- j. all persons, including contractors, with information about (a) through (i) of this request.

Response 64: Respondent is unaware of any excavation or removal of contaminated soil from the Property during Respondent's Active Operations Period. To the extent records regarding excavation or removal of contaminated soil from the Property during other time periods are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith.

65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.

Response 65: Respondent is unaware of testing of groundwater under the Property during Respondent's Active Operations Period. To the extent records regarding testing of groundwater under the Property during other time periods are in Respondent's possession or under

Respondent's control, they are contained in the electronic document database submitted herewith.

66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:

- a. reason for groundwater action;
- b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;
- c. all analyses or tests and results of analyses of the groundwater;
- d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and
- e. all persons, including contractors, with information about (a) through (c) of this request.

Response 66: No.

67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:

- a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;
- b. the dates of each such occurrence;
- c. the amount and location of such release;
- d. were sheens on the river created by the release;
- e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.

Response 67: Respondent is unable to respond to this request with respect to spills, leaks, releases or discharges by parties other than Respondent, although in light of the presence of hazardous substances, wastes, and/or materials in the Willamette River, it would appear likely that such spills, leaks, releases or discharges by other parties occurred. With respect to any such spills, leaks, releases or discharges caused by Respondent's activities, see the electronic document database and the detailed description of operational processes, submitted herewith, and see Response 62.

68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.

Response 68: See Response 47.

- 69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.**

Response 69: See Response 47.

Section 7.0 Property Investigations

- 70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.**

Response 70: Respondent has uncovered documentation indicating that historical insurance policies may have been issued by the insurers set forth on the attached spreadsheet of insurance policies. Respondent has placed the insurers on notice, to the extent solvent and still in existence, and is currently seeking coverage from these insurers. No insurer has accepted coverage for any obligation the Respondent might have for the costs of remediating the Property. Although Respondent has located policies and/or secondary evidence of coverage, it has not located any other documents referencing inspections, evaluations, safety audits, correspondence or other documents and concerning insurance issues or insurance coverage matters.

- 71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.**

Response 71: See Response 15.

- 72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.**

Response 72: Respondent is unaware of any remediation or response actions taken on the Property during Respondent's Active Operations Period. To the extent records regarding remediation or response actions taken on the Property during other time periods are in Respondent's possession or under Respondent's control, they are contained in the electronic document database submitted herewith. See also Response 15.

73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:

- a. what the nature and scope of these investigations will be;
- b. the contractors or other persons that will undertake these investigations;
- c. the purpose of the investigations;
- d. the dates when such investigations will take place and be completed; and where on the Property such investigations will take place.

Response 73: No.

Section 8.0 Corporate Information

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:

- a. state the current legal ownership structure (e.g., corporation, sole proprietorship);
- b. state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;
- c. discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;
- d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and
- e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

Response 74:

- a. See Response 1.
- b. Current Directors: Walt Havenstein and Sheila Cheston; Address for Current Directors: BAE Systems Inc., 1601 Research Blvd., Rockville, MD 20850.

Current Officers:

Robert A. Kilpatrick	President (1)
Sheila C. Cheston	Vice President & Assistant Secretary (2)
Vacant	Chief Financial Officer (4)

Raymond A. Parra	Vice President & Secretary (3)
Robert T. Murphy	Vice President & Assistant Treasurer (2)
Terry L. Shaw	Assistant Treasurer (2)
Lloyd A. Schwartz	Assistant Secretary (1)
Paul W. Cobb, Jr.	Assistant Secretary (2)

Addresses for Current Officers:

(1) BAE Systems San Diego Ship Repair Inc.
2205 East Belt Street
San Diego, CA 92113

(2) BAE Systems Inc.
1601 Research Blvd.
Rockville, MD 20850

(3) BAE Systems Customer Solutions Inc.
1300 North 17th Street
Suite 1400
Arlington, VA 22209

(4) BAE Systems Norfolk Ship Repair Inc.
750 West Berkley Avenue
Norfolk, VA 23523

Past Directors of Southwest Marine:

Art Engel
Herb Engel
David Engel
William Johnston
Alex Vinck
Milton Fredman
D. Carl Hanson
Allan Holt
Raymond A. Whiteman
Daniel A. Ajamian
Edward Ewing
Dev Kapadia
David V. Kolovat
Frances Raborn
Alexander Krekich
Mark H. Ronald
Sheila C. Cheston

- c. Northwest Marine Iron Works was incorporated in Oregon on May 28, 1943, and started operating at the Property. Southwest Marine, Inc., the predecessor-in-

interest to Respondent, was incorporated in California on August 27, 1976. On April 14, 1989, Southwest Marine, Inc. acquired Northwest Marine Iron Works. (Prior to this date, Respondent had no involvement with the Property.)

On January 25, 1990, Northwest Marine Iron Works changed its name to Northwest Marine, Inc. On December 31, 1990, Northwest Marine, Inc. merged into Southwest Marine, Inc., which was the surviving corporation. Southwest Marine, Inc. continued to do business under the assumed business name of Northwest Marine until it ceased active operations at the Property on November 9, 1992.

The Marine Group LLC, a California limited liability company, was organized on October 14, 1997. On November 24, 1997, Southwest Marine, Inc. assigned all of the assets and liabilities of the former Northwest Marine to The Marine Group LLC. This assignment terminated the involvement of Southwest Marine, Inc. with the Property. On June 27, 2005, Southwest Marine, Inc. was renamed BAE San Diego Ship Repair Inc., after BAE Systems Ship Repair Inc. acquired Southwest Marine's parent corporation. The Marine Group LLC terminated its involvement with the Property on November 6, 2006, when it conveyed the Property to an unaffiliated entity, EWH, LLC, an Oregon limited liability company.

In sum, BAE San Diego Ship Repair Inc. was involved with the Property from April 14, 1989, to November 24, 1997, and The Marine Group LLC was involved with the Property from November 24, 1997, to November 6, 2006. Most importantly, BAE San Diego Ship Repair Inc. and The Marine Group LLC (in its role as successor to BAE San Diego Ship Repair Inc.) were involved in active operations at the Property for a mere three and one-half years, from April 14, 1989, to November 9, 1992.

However, when Southwest Marine acquired Northwest Marine, it acquired all the assets and liabilities of Northwest Marine, including any remediation obligation Northwest Marine might have had. Thus, Respondent is in the unenviable position of having joint and several liability (along with its predecessors) for the actions of its predecessors back to 1943, when Northwest Marine Iron Works started operations at the Shipyard and the Property. Respondent urges EPA to also consider as a valuable information source the prior owner/operator of Northwest Marine, represented by William H. Zavin II, whose contact information is contained in Response 80.

- d. See Response 74(c).
- e. None.

75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:

- a. whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;
- b. names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and
- c. names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.

Response 75:

- a. See Response 74(c).
- b. The current registered agent for Respondent is CT Corporation Systems, 818 West Seventh Street, Los Angeles, CA 90017. For officers, see Response 74(b). For operations management personnel, see Response 38.

- c. Each of the Corporations Listed Below Owns 100% of the Subsidiary Listed Under It:

BAE Systems Inc.
1601 Research Blvd.
Rockville, MD 20850



BAE Systems Land & Armaments Inc.
1525 Wilson Blvd.
Arlington, VA 22209



BAE Systems Ship Repair Inc.
750 W. Berkley Ave.
Norfolk, VA 23523



BAE Systems San Diego Ship Repair Inc. (Respondent)
2205 East Belt Street
San Diego, CA 92113

76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.

Response 76: Respondent is not authorized to do business in Oregon, and Respondent has never done business in Oregon that would require authorization.

77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:

- a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
- b. the dates such relationship existed;
- c. the percentage of ownership of Respondent that is held by such other entity(ies);
- d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;
- e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and
- f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

Response 77:

- a. See Response 75(c).
- b. See Responses 74(c) and 77(f).
- c. See Response 75(c).
- d. See Responses 74 and 75.
- e. See the list of insurance policies attached to the Partial Responses in electronic format in the folder for Response 77(e).
- f. Respondent has been a wholly owned subsidiary of BAE Systems Ship Repair Inc. (formerly United States Marine Repair, Inc.) since November 26, 1997. The following financial information is for the most recently completed fiscal year:

BAE Systems Ship Repair Inc.

Financial information as of December 31, 2007 and for the year then ended

Total revenue	\$644,156,053
Net income	38,412,181
Depreciation expense	11,881,871
Total assets	774,411,412
Total current assets	223,666,306
Total current liabilities	109,772,363
Working capital	113,893,943
Net worth	571,805,211

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

Response 78: Respondent is not a partnership.

Section 9.0 Compliance With This Request

79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

- a. the name and current job title of all individuals consulted;
- b. the location where all sources reviewed are currently reside; and
- c. the date consulted.

Response 79:

- a. See Response 2.
- b. Documents produced with the Partial Responses or herewith are maintained by Karen L. Reed, Bateman Seidel Miner Blomgren Chellis & Gram, P.C., Attorneys for Respondent. Additional records are maintained by Laura J. Machado, Lloyd A. Schwartz and Shaun Halvax. Contact information is provided in Response 2.
- c. Consultations have occurred on an almost daily basis from February 28, 2008, to present.

80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

Response 80: The following person has extensive knowledge and information regarding such matters occurring prior to Respondent's Active Operations Period:

William H. Zavin II
P.O. Box 39
Portland, OR 97207
(503) 220-8000
swathking@comcast.net
Representative of prior owner/operator of Northwest Marine

Other persons who may have relevant knowledge include:

Don Nugent (Sundial Marine)
Fletcher Hunt (Port of Portland/Airport)

Former Northwest Marine employees that are not deceased and of which Respondent is aware are listed. Their personal contact information is available upon request.

Margie Abts
Doris Akin
Margaret Beckwith
Lillian Butler
Nicholas Calley
George Demetrakos
Orville Fuman
Grace Hite
Marie Howell
Wilma Jensen
Jack Jothen
Ray Jothen
Juanita Kincaid
Harold Krebs
Jeddie Linker
Wallace MacLean
Charles Morrissey
Elaine Olsen
Norma Peterson
Donald Robeck
John Rosenthal
Donna Santos
Thomas Saunders
Eileen Serinotti
Edward Smith
Raymond Sullivan
Fred Thoman
Henry Tucker

- 81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:**
- a. the document retention policy between 1937 and the present;**
 - b. the approximate date of destruction;**
 - c. a description of the type of information that would have been contained in the documents;**
 - d. the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have**

- been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and
- e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.

Response 81: To the extent documents are no longer available, Respondent explained their unavailability in the detailed description of operational processes, submitted herewith, and in these responses.

82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

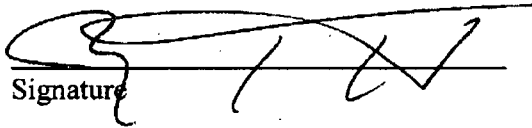
Response 82: Respondent has excluded records that constitute confidential client-attorney communications or attorney work product. Respondent is submitted a privilege log herewith listing these records. All other such records have been produced with the Partial Responses or herewith.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on November 5, 2008.

BAE Systems San Diego Ship Repair Inc.
(formerly Southwest Marine, Inc.)

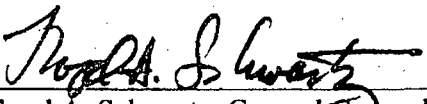

Signature

Robert A. Kilpatrick
Type or Print Name

President
Title

Mailing Address:
2205 East Belt Street
San Diego, CA 92113

Approved as to form:


Lloyd A. Schwartz, General Counsel